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| In re Application of | : | |
| Berry, et al. | : | |
| Application No. 09/935,077 | : | ON PETITION |
| Filed: August 22, 2001 | : | |
| Attorney Docket No. END920010035US1 | : | |

This is a decision on the petition under 37 CFR 1.181, filed October 13, 2005, to withdraw the holding of abandonment. The petition was recently forwarded to this office for review.

The petition is **GRANTED**.

This application became abandoned for failure to timely file a proper reply to the non-final Office action mailed March 24, 2004. Accordingly, this application became abandoned on June 25, 2004. A Notice of Abandonment was mailed on March 24, 2005.

Petitioner asserts the Office action was never received and that the Office mailed the action to the wrong address. A review of the application file indicates that the Office action was mailed to an incorrect address. The Office sincerely apologizes for this error.

Accordingly, the petition is granted and the holding of abandonment is withdrawn.

This application is being forwarded to Technology Center 2100, for review of the amendment filed October 13, 2005, *in due course*.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3228.

Edward J. Tannouse
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Office of the Deputy Commissioner
for Patent Examination Policy